

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

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4 AMERIPRISE FINANCIAL SERVICES,  
5 INC.,

6 Plaintiff,

7 v.

8 DOROTHY GREPPIN POWERS,

9 Defendant.

Case No. 2:19-CV-01005-JCM-EJY

**ORDER**

10 Before the Court is Plaintiff Ameriprise Financial Services, Inc.'s Ex Parte Motion for  
11 Approval of Service by Publication and to Extend [sic] Time for Service (ECF No.14). Plaintiff has  
12 demonstrated substantial efforts to effect personal service on Defendant Dorothy Greppin Powers  
13 during the 90 day period preceding the filing of Plaintiff's Motion. Plaintiff seeks permission from  
14 the Court to serve its Complaint by publication, which would necessarily also require an extension  
15 of time to effect service.

16 Pursuant to Fed. R. Civ. P. 4(e)(1), service of Plaintiff's Complaint filed in federal court may  
17 be effectuated by following Nevada state law pertaining to proper service. Nevada Rule of Civil  
18 Procedure 4.4 (c) allows for service by publication as quoted on pages 4 and 5 of Plaintiff's Motion.  
19 Plaintiff has met the requirements of Nev. R. Civ. P. 4.4(c)(1) demonstrating that the Plaintiff cannot  
20 be found after a diligent search was made. Pursuant to Nev. R. Civ. P. 4.4(c)(2), Plaintiff has  
21 demonstrated that (i) a cause of action exists against the Defendant, (ii) Defendant is a necessary  
22 party to the action filed, and (iii) Plaintiff is aware of only two possible last known addresses at  
23 which Defendant may reside, and has diligently attempted service at those addresses on dates  
24 identified throughout June, July, August and September, 2019; (iv) Plaintiff knows of no other  
25 addresses at which Defendant resides or at which she can be found; (v) publication is sought based  
26 on facts establishing that Defendant cannot be found as set forth in exhibits attached to Plaintiff's  
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1 Motion; (vi) the Nevada Legal News is a proper publication in which the summons should be  
2 published; and (vii) the language to be used in the publication is the language set forth in the  
3 summons itself.

4 Accordingly,

5 IT IS HEREBY ORDERED that Plaintiff's Motion for Approval of Service by Publication  
6 (ECF No. 14) is GRANTED.

7 IT IS FURTHER ORDERED that Plaintiff's time to serve Defendant shall be extended by  
8 eight weeks, measured from the first day following the date of this Order.

9 DATED: September 19, 2019

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12 ELAYNA J. YOUCHAK  
13 UNITED STATES MAGISTRATE JUDGE  
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